



05-04 Intimate Partner Violence

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Rationale

The Toronto Police Service (Service) recognizes that intimate partner violence is a serious social problem, and is not limited or restricted by marital status, sexual orientation, occupation, vulnerability, age or gender. The Service also views intimate partner violence as a preventable crime.

The goal of the Service is to:

- reduce the incidence of intimate partner violence and homicide in the community through education and enforcement;
- thoroughly investigate all intimate partner violence and intimate partner incidents, and bring offenders to justice wherever possible;
- enhance the safety of victims through prompt action including referrals to other community partners; and
- build effective partnerships with community support agencies to ensure a victim focussed response.

Supervision

- Supervisory Officer attendance mandatory
 - all intimate partner violence calls
 - when the suspect/accused/victim is a member of this Service
 - when the suspect/accused is a member of another police service
- Supervisory Officer notification mandatory
- Intimate Partner Violence Investigator (IPVI) or Officer in Charge notification mandatory when attending or investigating intimate partner violence and a supervisor is unable to attend
- Divisional Investigative office mandatory notification where reasonable grounds exist and the suspect has left the scene

Procedure

Calls for Service

Intimate partner violence and intimate partner incident calls for service shall be treated with the same priority as other life threatening calls. The safety of the victim and dependents requires prompt and

efficient response to all calls and the Service shall respond even when the original call for service is cancelled.

When a person attends a division to report intimate partner violence or an intimate partner incident the division receiving the complaint shall be responsible for the initial investigation and submission of an eReport. If the offence did not occur in the division receiving the complaint, assistance may be obtained from the appropriate division to conduct the follow-up investigation.

If assistance is not obtained or is not available, the division receiving the report will thoroughly investigate the allegation. **At no time shall a reportee be directed to attend a different unit or location to report intimate partner violence or an intimate partner incident.**

When responding to a third party call for service regarding intimate partner violence or an intimate partner incident, the complainant shall be interviewed to ascertain all relevant facts. The eReport shall include the information received from the third party interview.

Victims and Witnesses without Legal Status

Victims and witnesses of crime shall not be asked their immigration status, unless there are bona fide reasons to do so.

Charges

Police officers shall fully document their response to every intimate partner violence and intimate partner incident call, regardless of whether a criminal offence has been committed or a charge laid/an arrest made. Charges shall be laid in all cases where reasonable grounds exist, and the decision to lay charges shall not be influenced by factors such as:

- marital status of the parties;
- disposition of previous calls for police service;
- victim's unwillingness to attend court;
- likelihood of obtaining a conviction;
- denials of violence despite contrary evidence;
- fear of reprisals by the accused;
- occupation of the victim/accused; and
- immigration status of the parties.

When a criminal offence has been committed and no charge is laid (e.g., offender is deceased, offender has diplomatic immunity, offender in foreign country, etc.), officers shall document the incident, event number, and reasons for no arrest/charge in an eReport.

In addition to investigating and taking action in relation to any new criminal offence, prompt enforcement action shall be taken in all cases in which there is any breach of:

- a Bail condition;
- a Probation Order, Parole or Conditional Sentence;
- a Recognizance to Keep the Peace (S. 810);
- a Restraining Order (*Family Law Act* and *Children's Law Reform Act*);
- an Exclusive Possession Order (*Family Law Act*);
- the *Trespass to Property Act*; or
- any other court order.

Intimate Partner Violence Investigators (IPVI) shall take the lead role in all intimate partner violence investigations except in the following circumstances where:

- the incident involves an allegation of sexual assault, a IPVI shall be designated as the lead investigator, but shall work in consultation with an accredited sexual assault investigator;
- the incident involves death, the investigation shall be assigned to Detective Operations – Homicide and Missing Persons Unit;
- cases involving criteria offences as defined in the Ontario Major Case Management Manual, the investigation shall be assigned to an accredited Major Case Manager; or
- the incident involves a young person a IPVI shall be designated as the lead investigator, but shall work in consultation with an officer assigned to youth investigations.

Domestic Violence Risk Management – Ontario Domestic Assault Risk Assessment (DVRM/ODARA)

The Domestic Violence Risk Management – Ontario Domestic Assault Risk Assessment (DVRM/ODARA) is a report that shall be completed for all intimate partner violence occurrences.

- Only an accredited IPVI, who has received the ODARA training and received a certificate from Waypoint Health Center shall complete the DVRM/ODARA.
 - ➔ *The DVRM report shall be completed for all intimate partner violence occurrences.*
 - ➔ *The ODARA must be scored **only if the criteria are met**.*
- Should be used as a tool to assist officers, supervisors and Crowns in managing intimate partner violence investigations and identifying risk factors that may exist in an intimate partner violence case.
- Victim participation in completing the DVRM is optimal and strongly encouraged
 - every effort should be made to improve relationships, build trust with the victim and promote victim participation,
 - however, an uncooperative or incapacitated victim does not preclude you from completing the report, as other sources of information are available.
- It is important that the accredited IPVI conducting the investigation understands the purpose of each question and is able to assess and manage risk. They must make sure the victim has a good understanding of the question in order to get the required information.
- The DVRM/ODARA must be completed and in the crown brief for the bail hearing.

Safety

Recognizing that the safety of victims, witnesses and police officers is a priority due to the high risk inherent in intimate partner violence situations, officers must use extreme caution when responding to intimate partner violence and intimate partner incident calls. A minimum of 2 officers shall be dispatched to all intimate partner violence and intimate partner incident related calls for service. Officers shall remain at the scene until satisfied that the safety risk to the victim is minimized. The first officer to arrive on scene should be prepared to act prior to the arrival of a backup officer in emergent circumstances.

Incidents Involving a Member of a Police Service

Members shall initially consider whether the intimate partner violence situation being investigated may fall within the mandate of the Special Investigations Unit (SIU). If so, responding members shall comply with the relevant sections of Procedure 13–16.

All allegations arising from an intimate partner violence situation in which the suspect/accused is a member of another police service shall be reported in a timely manner to the Duty Officer of that police service by the Unit Commander of the Service division handling the investigation, or by the Duty Senior Officer – Toronto Police Operations Centre (Duty Senior Officer).

Intimate partner violence situations within the City of Toronto where the suspect/accused is a member of this Service will be initially investigated by the responding division in compliance with this Procedure. The Unit Commander / Duty Senior Officer shall notify Professional Standards (PRS) who will assume the role of case manager. Divisional personnel shall assist PRS, as required.

Professional Standards is designated as the Service liaison with other police services regarding Service member-involved intimate partner violence occurrences outside the City of Toronto, and shall be responsible for submitting a TPS 901 in compliance with Procedures 13–02 and 13–03.

Occurrences of Service member-involved intimate partner violence outside of Canada shall be treated as allegations of discreditable conduct in compliance with the relevant Procedures in Chapter 13.

Police Officer

The first police officer shall be responsible for the safety and wellbeing of the victim, offender management and preservation of the evidence and the crime scene.

1. When a person attends a division to report intimate partner violence or an intimate partner incident
 - shall conduct an initial investigation
 - shall complete the applicable eReport
 - shall not direct the reportee to attend a different unit or location
 - if the offence did not occur in the division may request the appropriate division to conduct the follow-up investigation
 - if assistance is not available from the division in which the offence took place shall
 - conduct a thorough investigation
 - comply with the applicable sections of this procedure
2. When attending or upon discovering intimate partner violence or an intimate partner incident shall
 - ensure the safety of all persons at the scene
 - conduct a thorough investigation
 - request the attendance of a supervisory officer to an intimate partner violence call
 - if a supervisory officer is unable to attend, notify a IPVI of all pertinent facts
 - if unable to notify a IPVI, notify the Officer in Charge of all pertinent facts
 - make every effort to determine the dominant aggressor
 - ensure medical attention is offered to all injured parties, as required
 - ask the victim if injuries have been sustained and note the response in the memorandum book
 - note personal observations of the victim's injuries in the memorandum book
 - ensure Toronto Paramedic Services is contacted where there is an indication of strangulation or, even when there is no visible sign of injury

➔ *Internal injuries may cause death within 72 hours if not treated.*

- if the victim requires or requests medical attention, offer to take the victim to a Sexual Assault/ Domestic Violence Care Centre (SA/DVCC)
 - ➔ *SA/DVCCs are located at Women's College Hospital (WCH) and The Scarborough Hospital – Birchmount Campus and General Campus. The SA/DVCC at WCH provides sexual assault and intimate partner violence services to persons 16 years of age and over who have been sexually assaulted within the last 30 days and/or are experiencing intimate partner violence. Prior to transporting or attending the WCH SA/DVCC, officers must contact the 24 hour on-call switchboard [REDACTED] The operator will then transfer officers to the on-call SA/DVCC nurse.*
 - ➔ *Women's College Hospital SA/DVCC is open 24 hours/seven days per week. Patients can access services at WCH or at one of their seven mobile emergency department sites: Mount Sinai, Toronto General Hospital, Toronto Western Hospital, Michael Garron Hospital, St. Joseph's Health Centre, Sunnybrook Health Sciences Centre and St. Michael's Hospital. The SA/DVCC nurse can be reached by telephone and will arrange to see the victim at the above noted hospitals.*
 - ➔ *There is no longer an Emergency Department at WCH. Therefore patients who require immediate medical assessment or treatment will need to be assessed by a physician at the closest emergency department. The emergency department provider will contact WCH when the patient is medically cleared. Patients who do not require emergency department services can be transported directly to WCH.*

Resources and services at a SA/DVCC include, but are not limited to:

- *crisis intervention and support;*
 - *documentation of assault history;*
 - *forensic documentation of any injuries;*
 - *Ontario Domestic Abuse Risk Assessment (recidivism risk) and Danger Assessment (homicide risk);*
 - *safety planning;*
 - *arrangement of shelter if required;*
 - *arrangement of follow up care – both health and counselling; and*
 - *provision of additional resources/supports as required.*
- comply with Procedure 05–22 if elderly or vulnerable persons are involved
 - establish if the involved persons have children
 - obtain the names, dates of birth and current school of all children present, or who normally reside in the home, regardless of whether the children were present at the time of the event/incident
 - apprehend any child in need of protection and comply with Procedure 05-06
 - **directly contact the appropriate Children's Aid Society (CAS) regarding any urgent matter involving child/youth, such as:**
 - child/youth with an injury due to intimate partner violence;
 - where a child has become involved in an intimate partner violence event/incident in a direct manner;
 - caregiver is unavailable to care for the child/youth;
 - other factors including but not limited to mental health and substance misuse;
 - other issues that lead the officer to be concerned about immediate safety.
 - ➔ *Toronto Catholic Children's Aid (CCAS) [REDACTED]*
 - ➔ *Children's Aid Society of Toronto (CAST) [REDACTED]*

- ➔ *Native Child and Family Services of Toronto (NCSFT)* [REDACTED]
- ➔ *Jewish Family and Child Services (JFCS)* [REDACTED]
- ➔ *S. 125 (1) 6 A child is in need of protection when the child has suffered emotional harm, demonstrated by serious, anxiety, depression, withdrawal, self-destructive or aggressive behaviour, or developmentally delayed, and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.*
- interview all parties separately
- when interpreting services are required contact the Multilingual Community Interpreter Services (MCIS) and comply with Procedure 04–09 where MCIS is unable to assist
 - ➔ *MCIS will provide free interpretation services to the Service during the investigation of all sexual, intimate partner violence and human trafficking related occurrences irrespective of the age of the victim or the suspect/accused. MCIS interpreters will provide their services to all involved parties, including the accused up until the time that a formal charge has been laid [an Information has been sworn to before a Justice of the Peace (Justice)].*
- ensure an intimate partner violence statement is taken and electronically recorded by an IPVI, unless there are circumstances preventing this, the ultimate decision is done at the discretion of the IPVI
 - comply with Procedure 04-32 and 12–08, as applicable
 - record the following in memorandum book
 - if not taking an electronically recorded statement, reasons why
 - IPVI name and badge number
- obtain a written statement from the victim, if instructed by the IPVI and record the following in memorandum book
 - IPVI's name, badge number and reason for statement
 - the statement and request that the victim review and sign the statement
- interview third party witnesses including children when practical, family members, neighbours, other emergency services personnel who have attended the scene and/or treated the victims
- make detailed notes, including all observations and statements in the memorandum book
- consult with an IPVI and/or a detective when considering arresting both parties, prior to bringing them into the station
- arrange to have the victim's injuries, scene and/or evidence photographed
 - ➔ *Victims may sustain internal or external injuries, which are not immediately apparent. If injuries are not visible at the time of investigation, consideration should be given to photographing the injuries after a 48 to 72 hour period.*
- collect all pertinent evidence in compliance with Procedure 04–21
- if responding to a third party complaint, interview the complainant, ascertain and document all relevant facts
- if the subjects of a third party complaint refuse to cooperate with the investigation
 - offer resources where appropriate
 - complete an eReport using information from the third party interview
- conduct a Person Query, [REDACTED] and [REDACTED] check

- determine whether any involved individual owns, possesses or has access to weapons, firearms, ammunition, explosives or the related authorizations, licences, certificates or permits, regardless of whether sufficient grounds exist to lay a charge
 - comply with Procedure 05–21, if applicable
 - consider using the search and seizure provisions contained in S. 117 *Criminal Code* (CC) to minimize any subsequent risk to the victim
 - obtain the information outlined in Chapter 5, Appendix A to help determine whether reasonable grounds exist to believe there is a threat to safety
 - offer the victim the assistance of Victim Services Toronto in compliance with Procedure 04–31
 - complete the officer information section of the TPS 496 and provide to the victim regardless of whether reasonable grounds exist to lay a charge
 - make every attempt to meet the special needs of the elderly or vulnerable persons, in compliance with Procedure 05–22, particularly when the offender is the sole caregiver
 - transport or arrange to transport the victim and dependents to a shelter or safe place, if necessary
3. Upon conclusion of the at-scene investigation shall
- enter the disposition of the call on the Mobile Work Station (MWS) or notify the Communications Operator – Communications Services (communications operator) verbally if necessary
 - if the situation varies from the original event type (e.g., get belongings, unknown trouble, sexual assault, etc.)
 - obtain a divisional supervisory officer's badge number and approval to change the event type
 - request the communications operator to change the event type to reflect the true situation
 - notify a supervisor or IPV1 of all intimate partner violence and intimate partner incident calls
 - record all notifications and attendance or non-attendance (supervisor, IPV1, Officer in Charge, etc.) in the eReport
 - **for non-urgent matters involving child/youth include the following information in the eReport**
 - demographic,
 - incident details
 - outcome ODARA
 - determining if family is Catholic
 - ensure email is sent to appropriate agency
 - CCAS – [REDACTED]
 - CAST – [REDACTED]
 - NCFST – [REDACTED]
- ➔ *In the event that the incorrect agency is selected CCAS, CAST and NCFST will ensure that the information is sent to the correct agency.*
- ➔ *Reporting to JFCS remains the same (phone).*
- scan and attach all memorandum book notes and hardcopy reports to the original eReport before reporting off duty
 - provide the eReport number to the Officer in Charge
4. Where reasonable grounds exist relative to a charge shall, in addition to complying with item 2
- arrest and/or charge the suspect, taking into consideration all the circumstances when deciding to continue the arrest, including the safety of the victim and dependents, any previous history of intimate partner violence, threats made by the accused and the protection of the community
- ➔ *The victim shall not be advised to lay a private information where reasonable*

grounds exist to lay a charge.

- where the accused wishes to swear to an independent counter charge, advise the accused that an Information may be sworn before a Justice
5. Where reasonable grounds exist, and the suspect has left the scene shall, in addition to complying with item 2
- conduct a search of the immediate area and advise the communications operator of the suspect's description, mode of travel and the nature of the offence committed
 - if appropriate, select Yes for the BOLO option when completing the suspect Entities page
- ➔ *Records Management Services – Operations will create and post a BOLO.*
- obtain and document information as to the suspect's potential destination
 - notify the divisional investigative office and obtain further instructions from an IPVI
6. Where an intimate partner incident has taken place and/or there is some evidence of intimate partner violence but reasonable grounds do not exist relative to a charge, in addition to complying with item 2, shall
- complete the officer information section of the TPS 496 and provide to the victim
 - make a referral to Victim Services Toronto
 - complete the applicable eReport, documenting the reason no charges are laid and no arrest is made
 - advise the involved persons that a report will be filed
 - advise the involved persons that a restraining order may be applied for by appearing before a Justice, if applicable
7. [REDACTED]

Supervisory Officer

The supervisory officer shall be responsible for the quality and thoroughness of the uniform response.

8. When notified of intimate partner violence or an intimate partner incident shall
- ensure all investigations are undertaken expeditiously
 - attend the scene for all intimate partner violence calls
 - provide guidance and assistance through the course of the investigation
 - attend intimate partner incidents, whenever possible
 - ensure the applicable eReports are completed, including the MO Detail page, if applicable
9. When an officer determines a call is not for intimate partner violence or an intimate partner incident and requests to change the event type shall, ensure the criteria in this Procedure has been met and approve the request if appropriate under the circumstances.
10. When the suspect/accused or victim is a member of this Service shall
- attend the scene
 - advise the Officer in Charge of the circumstances
 - document the circumstances in the memorandum book, including if no arrest was made, why no arrest was made/charge laid, when applicable
 - conduct a preliminary investigation into a conduct complaint in compliance with Procedures 13–02, 13–03 or 13–09, as applicable
 - ensure the victim and dependents are offered the assistance of the Employee Family Assistance Plan (EFAP), Victim Services Toronto, and other community agencies

- ensure the suspect/accused is informed of the assistance available from the EFAP
 - advise the victim that they will be contacted by PRS
11. When the suspect/accused is a member of another police service shall
- attend the scene
 - advise the Officer in Charge of the circumstances
 - document all the circumstances in the memorandum book, including if no arrest was made, why no arrest was made/charge laid, when applicable
 - ensure that the victim and dependents are offered the assistance of Victim Services Toronto and other community agencies

Intimate Partner Violence Investigator

The IPVI shall be responsible for ensuring the needs of the victim are met, effective management of the crime scene, including the gathering of evidence and ensure that a thorough and comprehensive investigation is conducted.

12. When investigating an Intimate Partner Violence Occurrence shall
- conduct a thorough and complete investigation
 - if the victim requires or requests medical attention, ensure the services of a SA/DVCC are offered
 - when interpreting services are required, ensure the services of the MCIS are utilized or comply with Procedure 04–09 where MCIS is unable to assist
 - ensure 9–1–1 recordings are reviewed and consider preserving them as evidence, where applicable
 - comply with Chapter 2 when considering the use of search warrants to gather evidence
 - in cases involving threshold offences as defined in the Ontario Major Case Management Manual, consult with the divisional Detective Sergeant concerning designation of the offence as a Major Case
 - take all intimate partner violence statements and ensure they are electronically recorded, unless there are circumstances preventing this, the ultimate decision is at the discretion of the IPVI in consultation with attending officer
 - comply with Procedure 04-32 and 12–08, as applicable
 - record the following in memorandum book
 - the reasons why an electronically recorded statement is not being taken
 - attending officer name and badge number
 - explain to the victim the charge and the nature of the proceedings against the accused
 - ensure a charge is laid where reasonable grounds exist
 - ensure photographs of the victim's injuries, the scene and/or evidence are made available for the bail hearing, wherever possible
 - make every effort to determine a dominant aggressor before considering charging both parties
 - when both parties are charged, cross reference the two cases on each confidential crown envelope (crown envelope)
 - comply with Procedure 05–11 where there has been a breach of bail conditions or failure to appear at court, and notify the victim
 - comply with Procedure 05–27 when conducting any intimate partner violence related criminal harassment investigations
 - comply with Procedure 06–07 when investigating breaches of restraining orders issued under the *Family Law Act* and *Children's Law Reform Act* and ensure
 - DVRM/ODARA is completed
 - the top right hand corner of the information is marked "IPV"
 - the box entitled 'Intimate Partner Violence' in the 'Incident Type' section of the crown envelope has been checked off

- all charges are clearly noted in the crown envelope as 'Intimate Partner Violence' in origin and the top border of the crown envelope is boldly marked in red
- consider commencing show cause proceedings as appropriate, making particular note of any stalking behaviour shown by the accused
- consider requesting a non-communication order under ss. 515(12) CC where a detention order is being sought
- whenever possible, consult with the victim when determining required bail conditions
- if the accused is granted bail, ensure the conditions of release, or any change in conditions of release are communicated to the victim as soon as possible rather than delay until the accused is actually released
- ensure a copy of the bail conditions are maintained in the case file
- where applicable, consider and exercise all powers of search and seizure, with and without warrant, relating to weapons, firearms, ammunition, explosives and the related authorizations, licences, certificates and permits
- consider contacting all persons known to police who may provide the accused access to firearms or related authorizations, licences, certificates or permits
- notify Organized Crime Enforcement – Integrated Gun & Gang Task Force when firearms are or may be a factor
- [REDACTED]
- [REDACTED]
- where possible, ensure that injuries sustained by the victim are photographed a second time 48 to 72 hours after the initial incident
- consult with Detective Operations – Sex Crimes – Behavioural Assessment Section to assist the victim in developing a personal safety plan
- consider contacting Victim Services Toronto on behalf of the victim to initiate the Victim Quick Response Program
 - ➔ *Please restrict your advice to the victim about the services Victim Services Toronto "can" provide and refrain from committing to what they will provide. The decision remains with Victim Services Toronto.*
- consider warning other known intimate partners of an abuser of the potential for abuse in compliance with Procedure 17-04
- if the offender has an open case with another division or another police service, share and co-ordinate current case information with the case manager from that division or police service, as applicable
- [REDACTED]
- ➔ [REDACTED]
- if it is determined that the offender is at risk of re-offending or breaching conditions of release, peace bond or probation order, ensure that appropriate resources are dedicated to investigate the matter immediately
- encourage the victim to complete a Victim Impact Statement at the appropriate stage of the court process in compliance with Procedure 04-24
- where possible, notify the victim of any known court dates, with a follow-up call prior to the court appearance

- in cases where charges have been laid and the victim does not wish to proceed with the charges, direct a victim requesting that charges be withdrawn to the Crown Attorney's Office
 - make a referral to Victim Services Toronto
 - where possible, notify the victim and the original police officer once final disposition of the case is obtained
 - [REDACTED]
 - ensure
 - the box entitled 'Intimate Partner Violence' in the 'Incident Type' section of the crown envelope has been checked off
 - all charges are clearly noted in the brief as 'Intimate Partner Violence' in origin (e.g. Assault – IPV), and the top border of the crown envelope is boldly marked in red
 - that in cases where the accused is a young person, the top border of the crown envelope is also boldly marked in blue
 - ensure that two copies of a DVRM/ODARA are completed and included in the crown envelope for the first court appearance
 - ensure the top right hand corner of the information is marked "IPV"
13. When in receipt of an intimate partner violence report and the suspect has not been arrested shall
- ensure a further investigation is promptly conducted
 - lay charges where reasonable grounds exist and [REDACTED]
 - where reasonable grounds exist and the suspect has not been arrested/charged within 24 hours of the offence, consider obtaining a warrant in compliance with Procedure 02-01
 - complete a Warrant Application Supplementary via eReport and enter the suspect's information onto CPIC in the "WANT" category indicating that an arrest warrant is pending, if applicable
- ➔ *The entry will be removed from CPIC after two business days if the warrant is not received.*
- if no charges are laid, add supplementary information to the original eReport explaining the reasons for such a decision
14. When in receipt of an intimate partner incident report where no reasonable grounds exist relative to a charge shall
- review all of the circumstances, including the responses to the 'Risk Factor' questions
 - [REDACTED]
- ➔ [REDACTED]

Detective Sergeant

Detective sergeants are responsible for ensuring an appropriate investigative response, that intimate partner violence investigations are conducted by accredited intimate partner violence investigators and that a thorough and comprehensive investigation is conducted.

15. When in charge of a divisional detective office shall ensure
- a minimum of one IPVI accredited detective is assigned to oversee all intimate partner violence investigations in the division
 - each IPVI has completed the DVRM/ODARA training and has received a certificate

intimate partner violence investigations are assigned to a qualified IPVI who will be able to initiate the investigation expeditiously

- [REDACTED]
- appropriate follow up investigations occur on all intimate partner incidents (call backs, Victim Services Toronto, etc.) and details documented as supplementary information to the original eReport
- cases involving high risk offenders are referred to the Intimate Partner Violence High Risk Review Team at the divisional courthouse
- [REDACTED]

Officer in Charge

The Officer in Charge is responsible for ensuring an appropriate uniform response and, in the absence of the Detective Sergeant, an appropriate investigative response.

16. The Officer in Charge shall ensure all intimate partner violence investigations are undertaken expeditiously.
17. When in receipt of memorandum book notes for an Intimate Partner Violence Occurrence shall ensure
 - they are scanned and attached to the original eReport
 - the eReport number has been provided to the divisional investigative office
18. [REDACTED]
19. At the time of booking a prisoner, and before considering release, shall ensure
 - all reasonable inquiries have been made into the possession by an accused of weapons, firearms, ammunition, explosives, authorizations, licences, permits, certificates, Firearms Acquisition Certificate, etc.
 - such items are surrendered before release to enhance the safety of the victim
20. The Officer in Charge shall review the crown envelope for completeness and ensure the completed DVRM/ODARA has been included in the crown brief.
21. Upon receipt of release documents shall ensure timely notification of bail conditions is provided to the victim in compliance with Procedure 01–08 or 01–15.
 - ➔ *Shall ensure the victim is immediately notified of all required information on the TPS 483 and that the TPS 483 is completed to record this notification.*
22. Where a Service member is a suspect/accused shall
 - notify the appropriate Unit Commander, or if absent, the Duty Senior Officer of the circumstances surrounding the incident
 - comply with Procedure 13–08 or 13–10 when considering suspending the member
 - ensure the assistance of the EFAP, Victim Services Toronto and other community agencies are offered to the victim
 - ensure the suspect/accused is informed of the assistance available from the EFAP

23. Where a member of another police service is a suspect/accused shall notify their Unit Commander, or if absent, the Duty Senior Officer of the circumstances.

Unit Commander – Division

24. When in charge of a division shall ensure
- an accredited IPVI manages the divisional response to intimate partner violence investigations
 - a sufficient number of investigators receive accreditation and are assigned as IPVIs
 - members assigned to the front desk do not redirect a person attending the division to report intimate partner violence or an intimate partner incident to a different unit or location

25. [REDACTED]

Unit Commander/ Duty Senior Officer – Toronto Police Operations Centre

The Unit Commander, or in their absence, the Duty Senior Officer shall be responsible for ensuring all proper notifications are made when a member of a police service is a suspect or an accused.

26. When notified a member of this Service is a suspect/accused shall
- immediately advise PRS of the circumstances
 - for a matter involving a police officer, ensure compliance with Chapter 13 regarding conduct complaints
 - for all members, comply with Procedure 13–08 or 13–10 when considering suspension
 - ensure the assistance of the EFAP, Victim Services Toronto and other community agencies are offered to the victim
 - ensure the suspect/accused is informed of the assistance available from the EFAP
 - where appropriate or requested, ensure appropriate arrangements are made in the workplace to ensure there is no direct contact between the victim and the suspect/accused
27. When notified a member of another police service is a suspect/accused shall ensure
- the Duty Officer of their service is contacted as soon as practicable
 - information is provided about the matter including
 - details of the incident
 - condition and status of the victim
 - charges laid, if applicable
 - whether bail is being opposed
 - date, time and location of the first court appearance, if applicable

Written Revocable Consent – Revocation of Consent to Communicate

The Written Revocable Consent (WRC) program pertains to intimate partner violence assault cases only and addresses the issue of WRC attached to a Recognizance of Bail or a Bail Variation. To qualify, the accused must be eligible for entry into Early Intervention (EI) Court and the Partner Assault Response (PAR) program.

The WRC program is designed to provide intimate partner violence victims with information about informed consent and to reduce the number of recurrences of consent being revoked and reinstated prior to the charges being concluded at court. In addition, it also ensures that judicial conditions including requests for revocation of consent are recorded on CPIC in a timely manner.

Police Officer

28. When receiving a request for revocation of consent to communicate from a complainant shall
- ensure the safety of all persons at the scene
 - conduct a thorough investigation
 - obtain the offender's name, date of birth, last known address and contact information
 - record a statement outlining the complainant's desire to revoke immediate consent of contact with the offender and request the complainant sign the statement
- ➔ *A complainant's refusal or inability to sign the statement does not negate the Revocation of Consent to Communicate request.*
- advise a supervisory officer of the revocation of consent to communicate request
 - notify the offender of the details of the revocation of consent to communicate
 - [REDACTED]
 - add supplementary information to the original Intimate Partner Violence Assault eReport and complete a Revocation of Consent to Communicate text template
 - ensure a "NOTIFY" is sent to the following handles through the Direct Report Entry (DRE) forthwith
 - Records Management Services (DVBAIL)
 - Bail and Parole (BAILPR)
 - Detective Sergeant of the Division assigned the original eReport
29. When receiving a request for revocation of consent to communicate from a complainant who is not in Toronto when making the request shall
- advise the complainant to attend the police service in their present jurisdiction to confirm their identity and request the agency contact Toronto Police Service
 - [REDACTED]
30. When locating an offender that has not been notified of the revocation of consent to communicate shall
- notify the offender that consent to communicate with the complainant has been revoked
 - add supplementary information to the original Intimate Partner Violence Assault eReport and complete a Revocation of Consent to Communicate text template
 - ensure a "NOTIFY" is sent to the following handles through the Direct Report Entry (DRE) forthwith
 - Records Management Services (IPVBAIL)
 - Bail and Parole (BAILPR)
 - Detective Sergeant of the Division assigned the original eReport (e.g. 23D/S)
 - [REDACTED]

Supervisory Officer

31. When notified of a revocation of consent to communicate request shall ensure
 - an investigation is undertaken expeditiously
 - a “NOTIFY” has been sent to the following handles through the Direct Report Entry (DRE) forthwith
 - Records Management Services (IPVBAIL)
 - Bail and Parole (BAILPR)
 - Detective Sergeant of the Division assigned the original eReport (e.g. 23D/S)

Detective Sergeant – Division Assigned to Original eReport

32. When notified of a revocation of consent to communicate request shall ensure
 - a “NOTIFY” is sent to the case manager through the Direct Report Entry (DRE)
 - the completed Revocation of Consent to Communicate text template is sent by TPS eFax to the Crown Attorneys Office of the original Assault charge
 - continued attempts to notify the offender of the revocation of consent to communicate are undertaken in a timely manner, as applicable

Supplementary Information

Governing Authorities

Federal: Criminal Code; Firearms Act; Youth Criminal Justice Act.

Provincial: Child, Youth and Family Services Act; Children’s Law Reform Act; Family Law Act
Police Services Act; Police Services Act, O.Reg. 3/99, Adequacy and Effectiveness of Police Services
Trespass to Property.

Other: Ontario Major Case Management Manual.

Associated Governance

TPSB Policies: Adequacy Standards Compliance Policies – Part 5 LI LE-024 Intimate Partner Violence Occurrences; Part 7 LXXXVIII VA-001 Victims’ Assistance.

TPS Procedures:

- Chapter 1 Arrest & Release;
- Chapter 2 Warrants;
- 04–09 American Sign Language and Language Interpreters;
- 04–21 Gathering/Preserving Evidence;
- 04–24 Victim Impact Statements;
- 04–31 Victim Services Toronto;
- 04–32 Electronically Recorded Statements;
- 04–37 Witness Assistance and Relocation Program (WARP);
- Chapter 5, Appendix A [REDACTED]
- 05–01 Preliminary Homicide Investigation;
- 05–05 Sexual Assault;

- 05–06 Child Abuse;
- 05–11 Fail to Comply/Fail to Appear;
- 05–21 Firearms;
- 05–22 Elder and Vulnerable Adult Abuse;
- 05–27 Criminal Harassment;
- Chapter 6 Provincial Investigations;
- 08–01 Employee and Family Assistance Program (EFAP);
- 08–10 External Threats Against Service Members;
- Chapter 12 Courts;
- 13–02 Uniform External Complaint Intake/Management;
- 13–03 Uniform Internal Complaint Intake/Management;
- 13–08 Uniform Suspension from Duty;
- 13–09 Civilian Complaint and Discipline Process;
- 13–10 Civilian Suspension from Duty;
- 13–16 Special Investigations Unit;
- 13–17 Notes and Reports;
- 17–04 Community/Public Safety Notifications;
- 17–07 BOLOs and FYIs;
- 17–08 Use of Special Address System.

Other: Standards of Conduct.

Forms:

- eReports;
- Domestic Violence Risk Management/ Ontario Domestic Assault Risk Assessment (DVRM/ODARA)
- Domestic Violence Information Pamphlet
- TPS 227 Person/Vehicle for Investigation
- [REDACTED]
- [REDACTED]
- TPS 483 Victim Notification
- TPS 496 Complainant/Victim/Witness: Information Sheet
- TPS 901 Policy, Service or Conduct Report
- Revocation of Consent to Communicate text template

→ [REDACTED]

Definitions

For the purposes of this Procedure, the following definitions will apply:

Bona Fide Reasons means

- a victim or witness who may possibly require or may seek admission into the Provincial Witness Protection Program;
- a Crown Attorney is requesting information for disclosure purposes;
- the information is necessary to prove essential elements of an offence, or;
- investigations where the circumstances make it clear that it is essential to public or officer safety and security to ascertain the immigration status of a victim or witness.

Child in Need of Protection means a child that can be apprehended as being in need of protection as defined in s.125 (1) of the *Child, Youth and Family Services Act*.

Criteria Offence – Ontario Major Case Management means the following major cases:

- a) homicides as defined in subsection 222(4), Criminal Code, and attempts;
- b) sexual assaults, and all attempts (for the purpose of this standard, is deemed to include sexual interference, sexual exploitation and invitation to sexual touching);
- c) trafficking in persons as defined in section 279.01, 279.011 or 279.04, Criminal Code, and attempts as defined in section 24(1) Criminal Code;
- d) occurrences involving non-familial abductions and attempts;
- e) missing person occurrences, as outlined in the Ontario Major Case Management Manual;
- f) occurrences suspected to be homicide involving found human remains;
- g) criminal harassment cases in which the offender is not known to the victim; and,
- h) any other types of cases designated as a major case pursuant to this Ontario Major Case Management Manual.

[Source: Ontario Major Case Management Manual]

Dominant Aggressor means the individual who has been the principal abuser, and not necessarily the person who initiated the violence that resulted in the attendance of police.



Intimate Partner Incident means any incident between persons involved in an intimate relationship where, although no criminal offence has occurred, police have been called to the scene.

Intimate Partner Violence means any physical, sexual or psychological harm caused, or attempted, between persons involved in an intimate relationship including:

- assault;
 - murder;
 - sexual assault;
 - threatening;
 - harassment;
 - intimidation;
 - unlawful interference with personal liberty;
 - any other criminal offence;
 - offences under other statutes, such as the Family Law Act, Children's Law Reform Act, etc.;
- but **does not** include child abuse investigations.

Intimate Partner Violence Investigator (IPVI) means an investigator qualified in the investigations of intimate partner violence as prescribed in Police Services Act, O.Reg. 3/99, Adequacy & Effectiveness of Police Services and the Policing Standards Manual.

Intimate Partner Violence Occurrence means an occurrence report created to detail criminal behaviour and/or a breach of any statute related to an intimate partner violence situation and includes an arrest report. (excludes an Intimate Partner Incident Report).

Intimate Relationship - Dating means marriage, domestic partnership, engagement, casual or serious romantic involvement, and dating, whether in a current or former relationship. Intimate Partner Violence can occur between persons of any sex, sexual orientation, gender, gender identity, or gender expression, and it can occur in any type of intimate relationship including monogamous, non-committed, and relationships involving more than two partners.

Victim means:

- a) a person to whom harm was done or who suffered physical or emotional loss as a result of the commission of the offence; and
- b) where the person described in paragraph (a) is dead, ill or otherwise incapable of making a statement referred to in subsection (1), includes the spouse or common-law partner or any relative of that person, anyone who has in law or fact the custody of that person or is responsible for the care or support of that person or any dependant of that person.

[Source: *Criminal Code*, 722(4)]

Sexual Assault/Domestic Violence Care Centre (SA/DVCC) means a medical care centre designated for the treatment and examination of victims of domestic/ intimate partner violence as well as sexual assault.

Victim Quick Response Program means a program administered by Victim Services Toronto that provides quick financial assistance to victims of homicide, attempted murder, serious physical assault, intimate partner violence, sexual assault and hate crime in the immediate aftermath of a crime.

Victim/Witness Assistance Program (VWAP) means the program operated by the (Ontario) Ministry of the Attorney General. Services are provided on a priority basis to the most vulnerable victims and witnesses of violent crime; such as intimate partner violence, child abuse, sexual assault, homicide and hate crime. Families of traffic fatality victims are also eligible. Services begin once police have laid charges and continue until the court case is concluded.

We are dedicated to delivering police services, in partnership with our communities, to keep Toronto the best and safest place to be.

Learn more about our **Service Core Values and Competencies** [here](#)

